

REMARKS

Claims 49-92 are pending in the present application.

I. FORMAL MATTERS

A. Formal Drawings

Applicant notes with appreciation the Examiner's indication that the formal drawings filed on December 13, 2004 are acceptable.

B. Information Disclosure Statements

Applicant notes with appreciation the Examiner's inclusion in the Office Action a copy of the PTO SB-08 Form that was submitted in the Information Disclosure Statements filed on July 7, 2005. Each of the references listed therein is initialed by the Examiner, thereby indicating that these references were considered by the Examiner.

C. Priority Documents

The Office Action does not acknowledgement the claim to priority and does not indicate that certified copies of the priority documents were received by the international bureau. Applicant respectfully requests the Examiner to do so.

II. OBJECTIONS TO THE CLAIMS

The Examiner has objected to claim 49 because a superfluous period is present on line 6. Because this informality is minor, Applicant respectfully requests the Examiner to delete this period on line 6 of claim 49 by Examiner's amendment.

III. PRIOR ART REJECTION

Claims 49-92 are rejected under 35 U.S.C. § 102(e) as being anticipated by European Patent No. 00/67514 (Honkala). This rejection is traversed.

Contrary to Honkala, the present invention relates to a method of assisting at least one handover for a mobile device in a mobile communications environment with a plurality of access points. Independent claim 49, on which claims 50-69 depend, includes the following steps: determining an operational context as a profile of applications being executed in the mobile device before or at the time of pro-active deployment of the handover decision mechanism; proactively deploying a handover decision mechanism in relation to the at least one handover and according to an operational context into a

subsystem of the mobile communication environment executing the handover; and
determining at least one new access point for the mobile device using the deployed
handover decision mechanism.

Independent claim 70, on which claims 71-92 depend, is directed to an apparatus that includes an application profile unit that is adapted to determine an operational context as a profile of applications being executed in the mobile device before or at the time of pro-active deployment of the handover decision mechanism, and a pro-active deployment unit adapted to pro-actively deploying a handover decision mechanism in relation to the at least one handover and according to an operational context into a subsystem of the mobile communication environment executing the handover.

In contrast, Honkala describes a method of handing-off a mobile station from an internal cellular communication network to an external cellular communications network having a network controller. The network comprises allocating at least one cell of the internal cellular network as boarder cell, detecting the movement of the mobile station into the boarder cell, generating an advance hand-off request in accordance with the prediction algorithm that uses a set of predetermined parameters associated with the mobile station and determining when a hand-off is likely to be required, and in response to the advance hand-off request setting up a communication channel in the external cellular communication network for use by the mobile station when a actual hand-off request is made (see page 8, lines 3 – 18). Therefore, when a handoff request is issued by the

mobile station, hand-off may be implemented in accordance with a communication channel that has been set up by the network controller of the external network responsive to the hand-off advance request. Thus, call setup to the surrounding system may be started at a time before the actual demand for hand-over (see page 10, lines 11-17).

It appears that the Examiner does not appreciate that a request for a hand-off is significantly different than deployment of a handover decision mechanism. Further, the Examiner does not mention which section of Honkala teaches the determination of an operational context at a time of proactive deployment of a handover decision mechanism.

Therefore, Applicant submits that Honkala does not teach or suggest each and every feature of claims 49-92. Therefore, Applicant submits that claims 49-92 are not anticipated by Honkala. Thus, Applicant submits that the rejection of claims 49-92 under 35 U.S.C. § 102(e) is improper and should be withdrawn.

Accordingly, Applicant submits that the present application is now in condition for allowance. If the Examiner believes that any outstanding issues can be resolved through a telephone interview, Applicant respectfully requests the Examiner to contact the undersigned at the telephone number provided below.

Applicant believes that no additional fees are due for the subject application. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for

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any excess fee paid, you are hereby authorized and requested to charge Deposit Account
No. 04-1105.

In view of the above amendment, applicant believes the pending application is in
condition for allowance.

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Customer No.: 21874

Respectfully submitted,

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